IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. Sailor

Serial No.: 10/589,741

Conf. No.: 9856

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For: OPTICALLY ENCODED PARTICLES

WITH GREY SCALE SPECTRA

Art Unit: 2876

Examiner: Michael S. Andler

RESPONSE B

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the final Office Action mailed October 5, 2010, please consider the following remarks and the attached 37 C.F.R. 131 Declaration of Michael J. Sailor.